

Section 362, Title 14, CCR, is amended to read:

§362. Nelson Bighorn Sheep.

(a) Areas:

(1) Zone 1--Marble/Clipper Mountains: That portion of San Bernardino County beginning at the intersection of Kelbaker Road and the National Trails Highway; north on Kelbaker Road to the junction with Interstate Highway 40; east on Interstate Highway 40 to the intersection with National Trails Highway; southwest on National Trails Highway to junction with Kelbaker Road.

(2) Zone 2--Kelso Peak and Old Dad Mountains: That portion of San Bernardino County beginning at the intersection of Kelbaker Road and the Union Pacific Railroad in Kelso; southwest along the Union Pacific Railroad to intersection with unnamed road at Crucero; north on unnamed road to the junction with Rasor Road; northwest on Rasor Road to the junction with Interstate Highway 15; northeast on Interstate Highway 15 to the intersection with Cima Road; south on Cima Road to the intersection with the Union Pacific Railroad in Cima; southwest on the Union Pacific Railroad to the intersection with Kelbaker Road in Kelso.

(3) Zone 3--Clark and Kingston Mountain Ranges: That portion of San Bernardino and Inyo counties beginning at the intersection of Interstate Highway 15 and California State Highway 127 in Baker; north on California State Highway 127 to the junction with Old Spanish Gentry Road on Tecopa; southeast on Old Spanish Gentry Road to the junction with Furnace Creek Road; southeast on Furnace Creek Road to the junction with Mesquite Valley Road; north on Mesquite Valley Road to Old Spanish Trail Highway; north and east on Old Spanish Trail Highway to California/Nevada state line; southeast on California/Nevada state line to the intersection with Interstate Highway 15; southwest on Interstate Highway 15 to the junction with California State Highway 127.

(4) Zone 4--Orocopia Mountains: That portion of Riverside County beginning at the intersection of Interstate Highway 10 and Cottonwood Springs Road; east on Interstate Highway 10 to the junction with Red Cloud Mine Road; south on Red Cloud Mine Road to the junction with the Eagle Mountain Mining Railroad; southwest on the Eagle Mountain Mining Railroad to the junction with the Bradshaw Trail; southwest on the Bradshaw Trail to the Intersection with the Coachella Canal; west along the Coachella Canal to the junction with Box Canyon Road; northeast on Box Canyon Road to the junction with Cottonwood Springs Road; north on Cottonwood Springs Road to the intersection with Interstate Highway 10.

(5) Zone 5--San Gorgonio Wilderness: That portion of Riverside and San Bernardino counties beginning at the intersection of Interstate Highway 10 and California State Highway 62, west on Interstate Highway 10 to the junction with California State Highway 30; north on California State Highway 30 to the junction with California State Highway 38; east and north on California State Highway 38 to the junction with Forest Service Route 1N01; east on Forest Service Route 1N01 to its joining with Pipes Road; east on Pipes Road to the junction with Pioneertown Road; southeast on Pioneertown Road to the junction with California State Highway 62; southwest on California State Highway 62 to the intersection with Interstate Highway 10.

(6) Zone 6--Sheep Hole Mountains: That portion of San Bernardino County beginning at the junction of California State Highway 62 and Ironage Road; northwest on Ironage Road to the intersection with Amboy Road; north on Amboy Road to the intersection with National Trails Highway; east on National Trails Highway to the junction with Saltus Road; southeast on Saltus Road to the junction with unnamed road in Saltus that runs through Cadiz Valley; southeast on unnamed road to the intersection with California State Highway 62; west on California State Highway 62 to the junction with Ironage Road.

(b) Seasons:

(1) Fund-raising Hunts: The holder of the fund-raising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

(A) Zones 1 through 4, and 6: Beginning the first Saturday in November and extending through the first Sunday in February.

(B) Zone 5: Beginning the third Saturday in November and extending through the third Sunday in February.

(2) Except as provided in subsection 362(b)(1), the Nelson bighorn sheep season in the areas described in subsection 362(a) shall be defined as follows:

(A) Zones 1 through 4, and 6: The first Saturday in December and extend through the first Sunday in February.

(B) Zone 5: The third Saturday in December and extend through the third Sunday in February.

(3) Except as specifically provided in section 362, the take of bighorn sheep is prohibited.

(c) Bag and possession Limit: One mature ram defined as follows: a male Nelson bighorn sheep (*Ovis canadensis nelsoni*) having at least one horn, the tip of which extends beyond a point in a straight line beginning at the front (anterior) edge of the horn base, and extending downward through the rear (posterior) edge of the visible portion of the eye and continuing downward through the horn. All reference points are based on viewing the ram directly from a 90 degree angle from which the head is facing. A diagram showing the correct viewing procedure shall be distributed by the department to each successful applicant.

(d) Number of License Tags:

~~two~~three tags valid in Zone 1

~~four~~three tags valid in Zone 2

two tags valid in Zone 3

one tag valid in Zone 4

two tags valid in Zone 5

one tag valid in Zone 6

two fund-raising license tags

~~(e) Distribution of License Tags:~~

~~(1) Fund-raising Nelson bighorn ram license tags: Two fund-raising license tags for the taking of mature Nelson bighorn rams shall be sold for the purpose of raising funds to manage bighorn sheep. The department may designate a nonprofit organization to sell this fund-raising tag. Any resident or nonresident is eligible to buy the tag. The purchaser of a fund-raising license tag shall complete a required hunter orientation~~

program conducted by the department and meet the hunter education requirements for a hunting license. The fund-raising license tags are defined as follows:

(A) Open-zone fund-raising license tags: These fund-raising license tags are valid in any of the areas described in subsection 362(a).

(2) General Nelson bighorn ram license tags: The application form (2001 NELSON BIGHORN SHEEP DRAWING APPLICATION, LBR 1362, Rev. 4/2001, incorporated by reference herein) shall be made available to the public at license agents and regular offices of the department. Applicants must be California residents or nonresidents, at least 16 years of age, possessing a California hunting license valid during the bighorn ram season for which they are applying, and must not have been previously issued a bighorn license tag in California. Applicants must apply for only one designated zone. No person shall submit more than one application. Applicants shall submit the application with a nonrefundable processing fee of \$6.50 to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). Applications must be received before the close of business on the first business day after June 1. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing. Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. No more than one nonresident shall be selected to receive a general license tag. Unsuccessful applicants will not be notified. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the appropriate tag fee, either \$261.50 for a resident or \$500.00 for a nonresident, to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. The tag fee shall be received by the department by the close of the business day on the Monday following the second Saturday in July. Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Successful applicants shall be issued tags only after successfully completing the required hunter orientation program conducted by the department.

(fe) Conditions:

(1) Only persons possessing valid Nelson bighorn ram license tags are entitled to hunt bighorn sheep. Tags shall not be transferable and are valid only in the zone or zones specified:

(2) Individuals awarded a fund-raising license tag and all successful applicants for general license tags shall attend and successfully complete a mandatory hunter orientation program. Licensed guides employed by successful applicants and the fund-raising license tag buyer shall accompany their clients to this orientation program.

(3) All tags must be returned to the department within 10 days after the close of the season, even though the tagholder may not have killed a Nelson bighorn ram.

(4) Nelson bighorn rams shall only be taken between one-half hour before sunrise and one-half hour after sunset.

(5) Only methods specified in sections 353 and 354, Title 14, CCR, for taking bighorn sheep may be used.

(63) Each tagholder shall possess a spotting telescope capable of magnification of 15 power (15X), which is not affixed to a rifle, while hunting.

~~(7) Tags must be completed and attached to the carcass of a bighorn ram immediately after the animal is killed.~~

(84) Successful general tagholders shall present the head and edible portion of the carcass of a bighorn ram to the department's checking station within 48 hours after killing the animal. All successful tagholders shall notify the department's Bishop office by telephone at (760) 872-1171 or (760) 240-1372 within 24 hours of killing the animal and arrange for the head and carcass to be examined.

(95) All successful bighorn sheep tagholders shall ~~have their tags validated and~~ make the horns of each ram available to the department to be permanently marked in the manner prescribed by the department for identification purposes within 48 hours of killing the animal. The purpose of the permanent marking shall be to identify Nelson bighorn rams which were legally taken and which may be transported and possessed outside the areas described in subsection 362(a).

(106) The department reserves the right to take and use any part of the tagholder's bighorn ram, except the horns, for biological analysis as long as no more than one pound of edible meat is removed.

~~(11) All tagholders will be notified by mail as to whether they will be required to report to the department before hunting and upon completion of hunting. The notification shall contain procedures for reporting, including appropriate methods of contacting the department.~~

~~(12) The tagholder shall surrender his tag to an employee of the department for any or all of the following reasons:~~

~~(A) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the commission.~~

~~(B) Any act on the part of the tagholder which endangers the person or property of others.~~

~~The decision of the department in such respects shall be final and binding upon the tagholder.~~

#### NOTE

Authority cited: Sections 200, 202, 203, 220, 1050 and 4902, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 207, 1050, 3950 and 4902, Fish and Game Code.